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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/673,780	09/29/2003	Takashi Kanai	F-7987	2486

28107 7590 02/28/2005
JORDAN AND HAMBURG LLP
122 EAST 42ND STREET
SUITE 4000
NEW YORK, NY 10168

EXAMINER

COMAS, YAHVEH

ART UNIT	PAPER NUMBER
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2834

DATE MAILED: 02/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/673,780

Applicant(s)

KANAI ET AL.

Examiner

Yahveh Comas

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Specification

The disclosure is objected to because of the following informalities:

- Page 3, line 12 repeat the reference number (3) of the insertion holes.
- Page 4, line 1 use a different reference number for the shaft.

Appropriate correction is required.

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the coreless coil having a waveform must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New

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Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 2 is indefinite because disclose that the rotor is provided at an outer circumferential part of the coils and further disclose that the coil locates around an outer circumferential part of the rotor.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by

Ackermann et al. U.S. Patent No. 5,714,828.

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Ackermann discloses a motor having a base, a shaft fixed such that the shaft (2) project upward from a part adjacent a central portion of the base (8), a sleeve (6a) arranged at an outer circumferential part of the shaft via a gas space, a rotor (7) provided at an outer circumferential part of the sleeve, arranging permanent magnets, and a coil (9) provided at the base (8) such that the coil locates around an outer circumferential part of the rotor (7). A hub supports the sleeve and the rotor and covers a upper portion of the shaft, and a back yoke attached to the hub such that the back yoke (6c) locates around an outer circumferential part of the coil (9).

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Asada et al. JP Patent No. 01288611 A.

Asada discloses a motor having a base (1), a shaft fixed such that the shaft (2) project upward from a part adjacent a central portion of the base (1), a sleeve (3) arranged at an outer circumferential part of the shaft via a gas space, a rotor (5) provided at an outer circumferential part of the sleeve, arranging permanent magnets, and a coil (4) provided at the base (1) such that the coil locates around an outer circumferential part of the rotor (5).

Claim 2 is rejected under 35 U.S.C. 102(b) as being anticipated by Tanaka et al. U.S. Patent No. 5,289,067.

Tanaka disclose a having a base, a shaft fixed such that the shaft (12) project upward from a part adjacent a central portion of the base (11), a sleeve (13) integrally formed with the hub is arranged at an outer circumferential part of the shaft via a gas space, a coil (64) provided at an outer circumferential part of the sleeve, a rotor (61) at

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an outer circumferential part of the coil, arranging permanent magnets, a hub support the sleeve and the rotor and covers an upper portion of the shaft such that the rotor locates around an outer circumferential part of the coil.

Claim 3 is rejected under 35 U.S.C. 102(b) as being anticipated by Lee et al. U.S. Patent No. 6,0710,14.

Lee discloses a motor comprising a base, a sleeve (166f) fixed such that the sleeve projects upward from a part adjacent a central portion of the base, a shaft arranged into the sleeve (166f) via a gas space, a rotor (174f) provided at an outer circumferential part of the sleeve (166f), arranging permanent magnets, and a coil provided at the base such that the coil (176f) locates around an outer circumferential part of the rotor (174f).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ackermann et al. U.S. Patent No. 5,714,828 in view of Sung et al. 6,618,214.

Ackermann disclose the claimed invention except for a color wheel attached to one of the hub and back yoke. However, Sung discloses a color wheel attached to one of the rotor for use in a projection display system.

Therefore, it would have been obvious to one having skill in the art at the time the invention was made to modify Ackermann's invention and provide a color wheel attached to one of the rotor hub as disclosed by Sung since that would had been desirable to use said color wheel in a projection display system.

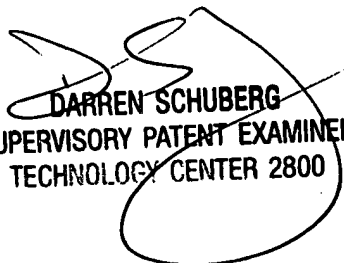
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yahveh Comas whose telephone number is (571)272-2020. The examiner can normally be reached on 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YC


DARREN SCHUBERG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800